

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 77

Animal diseases, Bison, Cattle, Reporting and recordkeeping requirements, Transportation, Tuberculosis.

Accordingly, 9 CFR part 77 is amended as follows:

PART 77—TUBERCULOSIS

1. The authority citation for part 77 continues to read as follows:

Authority: 21 U.S.C. 111, 114, 114a, 115–117, 120, 121, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

§ 77.1 [Amended]

2. In § 77.1, in the definition for “Accredited-free (suspended) State”, paragraph (2) is amended by removing “Wisconsin” and adding “None” in its place.

3. In § 77.1, in the definition for “Accredited-free state”, paragraph (2) is amended by adding “Wisconsin,” immediately before “and Wyoming”.

Done in Washington, DC, this 30th day of April 1997.

Donald W. Luchsinger,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–11885 Filed 5–6–97; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****9 CFR Part 94**

[Docket No. 97–034–2]

Change in Disease Status of The Netherlands Because of BSE

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule; change in effective date.

SUMMARY: We are changing the effective date of the interim rule that added The Netherlands to the list of countries where bovine spongiform encephalopathy exists. The interim rule first became effective on April 10, 1997, and was published in the **Federal Register** on April 15, 1997 (62 FR 18263).

DATES: The interim rule published in the **Federal Register** on April 15, 1997

(62 FR 18263) is effective March 21, 1997. Consideration will be given only to comments received on or before June 16, 1997.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 97–034–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 97–034–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room. **FOR FURTHER INFORMATION CONTACT:** Dr. John Cougill, Staff Veterinarian, Animal Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737–1231, (301) 734–3399; or e-mail: jcougill@aphis.usda.gov.

SUPPLEMENTARY INFORMATION: On April 15, 1997, we published in the **Federal Register** (62 FR 18263–18264, Docket No. 97–034–1) an interim rule that added The Netherlands to the list of countries where bovine spongiform encephalopathy (BSE) exists because the disease had been detected in a cow in that country on March 21, 1997. The interim rule prohibits or restricts the importation into the United States of certain fresh, chilled, and frozen meat, and certain other animal products and byproducts from ruminants that have been in The Netherlands. The effective date of that interim rule was April 10, 1997. We are changing the effective date of that rule to March 21, 1997. This action is necessary to ensure that the prohibitions and restrictions established by the interim rule apply to animal products and byproducts that were shipped to the United States from The Netherlands between March 21, 1997, when BSE was detected in The Netherlands, and April 10, 1997, when our interim rule was signed.

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has retroactive effect to March 21, 1997; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306, 21 U.S.C. 111, 114a,

134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 30th day of April 1997.

Donald W. Luchsinger,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–11887 Filed 5–6–97; 8:45 am]

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DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****9 CFR Part 94**

[Docket No. 96–076–2]

Pork and Pork Products From Mexico Transiting the United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule allows fresh, chilled, and frozen pork and pork products from the Mexican State of Baja California to transit the United States, under certain conditions, for export to another country. Previously, we allowed such pork and pork products only from the Mexican States of Sonora, Chihuahua, and Yucatan to transit the United States for export. Otherwise, fresh, chilled, or frozen pork and pork products are prohibited movement into the United States from Mexico because of hog cholera in Mexico. Baja California has not had an outbreak of hog cholera since 1985 and we believe that fresh, chilled, and frozen pork and pork products from Baja California could transit the United States under seal with minimal risk of introducing hog cholera. This action will facilitate trade.

EFFECTIVE DATE: May 7, 1997.

FOR FURTHER INFORMATION CONTACT: Dr. Michael David, Senior Staff Veterinarian, Animals Program, National Center for Import and Export, VS, APHIS, USDA, 4700 River Road Unit 39, Riverdale, MD 20737–1231, (301) 734–5034.

SUPPLEMENTARY INFORMATION:**Background**

The regulations in 9 CFR part 94 (referred to below as the regulations) prohibit or restrict the importation of certain animals and animal products into the United States to prevent the introduction of certain animal diseases. Section 94.9 of the regulations prohibits the importation of pork and pork products into the United States from